

**Remarks/Arguments**

The Examiner is thanked for the short telephone discussion on June 14, 2006 wherein applicant's attorney, having changed firms and just receiving the file, wanted to make sure of the status of the application.

Claim 6 has been amended on line 5 to delete "the" from the phrase "a the", which will be commented on below.

A terminal disclaimer is submitted herewith with respect to U.S. Patent No. 6,817,630. Accordingly, the rejection in paragraph 3 of the Office Action of the claims on the grounds of non-statutory obviousness-type double patenting over claims 1 – 6 of U.S. Patent No. 6,817,630 is believed overcome.

In paragraph 4 of the Office Action, the Examiner required that "a" be deleted from the phrase "a the" in claim 6. however, it is respectfully submitted that in deference to the requirement for antecedent basis, it is "the" that should be deleted, which has been done by the foregoing amendment. If applicants' attorney has not properly understood the rejection, a call from the Examiner would be helpful.

Applicant believes that all the claims are in condition for allowance and respectfully solicits a Notice of Allowance.

The Commissioner is hereby authorized to charge payment of any fees required associated with this communication or credit any overpayment to Deposit Account No. 50-3881. If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-3881. A duplicate copy of this paper is enclosed.

Dated: Sept. 8, 2006

Respectfully submitted,

By 

Robert Berliner

Registration No.: 20,121

Berliner & Associates.

555 West Fifth St., 31<sup>st</sup> Floor

Los Angeles, California 90013

(213) 533-4171; (213) 533-4174 (Fax)

Attorney for Applicant